

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE MANUEL GONZALEZ,

Defendant.

3:20-CR-058-MMD-CLB

Preliminary Order of Forfeiture

This Court finds Jose Manuel Gonzalez pled guilty to Count One of a One-Count Criminal Indictment charging him with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 1; Amended Memorandum in Support of Plea, ECF No. 25; Change of Plea, ECF No. 28.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Amended Memorandum in Support of Plea and the Forfeiture Allegation of the Criminal Indictment and the offense to which Jose Manuel Gonzalez pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1) and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Ruger, .380 caliber semi-automatic pistol bearing serial number 371597388;
 2. 6 rounds of .380 caliber ammunition in a magazine;
 3. 1 round of .380 caliber loose ammunition; and
 4. any and all compatible ammunition
- (all of which constitutes property).

1 This Court finds that on the government's motion, the Court may at any time enter
2 an order of forfeiture or amend an existing order of forfeiture to include subsequently
3 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
4 32.2(b)(2)(C).

5 This Court finds the United States of America is now entitled to, and should, reduce
6 the aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
8 DECREED that the United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
10 rights, ownership rights, and all rights, titles, and interests of Jose Manuel Gonzalez in the
11 aforementioned property are forfeited and are vested in the United States of America and
12 shall be safely held by the United States of America until further order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
14 of America shall publish for at least thirty (30) consecutive days on the official internet
15 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
16 describe the forfeited property, state the time under the applicable statute when a petition
17 contesting the forfeiture must be filed, and state the name and contact information for the
18 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
19 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
20 the government may instead serve every person reasonably identified as a potential claimant
21 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
22 Rule G(4)(a)(i)(A).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
24 or entity who claims an interest in the aforementioned property must file a petition for a
25 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
26 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
27 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's

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1 right, title, or interest in the forfeited property and any additional facts supporting the
2 petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
4 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
5 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
6 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
7 after the first day of the publication on the official internet government forfeiture site,
8 www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
10 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
11 Attorney's Office at the following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 James A. Blum
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
19 described herein need not be published in the event a Declaration of Forfeiture is issued by
20 the appropriate agency following publication of notice of seizure and intent to
21 administratively forfeit the above-described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record.

24 DATED March 17, 2021.

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26 MIRANDA M. DU
27 UNITED STATES DISTRICT JUDGE
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